

MAY 16 2011

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROBERT LEE COOKE,)
Petitioner,) Civil Action No. 7:10cv00513
v.)
GENE JOHNSON,)
Respondent.)
) **ORDER**
)
) By: Hon. James C. Turk
) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that Respondent's Motion to Dismiss (Dkt. No. 12) is **GRANTED**, and Robert Lee Cooke's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Dkt. No. 1) is **DENIED**. Further, Petitioner is advised that a Certificate of Appealability is **DENIED**.

The Clerk of Court is directed to strike the case from the active docket of the Court, and send copies of this Final Order and accompanying Memorandum Opinion to Petitioner and counsel of record for Respondent.

ENTER: This 13th day of May, 2011.



Senior United States District Judge